

REMARKS

The Official Action mailed January 29, 2004, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to May 29, 2004. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statement filed on August 15, 2001.

Claims 1-29 were pending in the present application prior to the above amendment. Claim 11 has been canceled, and claim 10 has been amended to better recite the features of the present invention. Accordingly, claims 1-10 and 12-29 are now pending in the present application, of which claims 1, 5, 10, 16, 20 and 24 are independent. Claims 7-9, 13 and 16-29 have been withdrawn from consideration, and claims 1-6, 10-12, 14 and 15 are currently elected, of which claims 1, 5 and 10 are independent, and of which claims 1 and 5 are generic. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 5 of the Official Action rejects claims 1-6, 10-12, 14 and 15 under the doctrine of obviousness-type double patenting over claims 1-20 of U.S. Patent No. 6,281,865 to Koyama et al. In response, the Applicants respectfully request that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in the present application. At such time, the Applicants will respond to any remaining double patenting rejections.

Paragraph 7 of the Official Action rejects claims 1-6 as anticipated by Figures 5 and 6 of the present specification. The Applicants respectfully traverse the rejection because the Official Action has not established an anticipation rejection.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a

single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicants respectfully submit that an anticipation rejection cannot be maintained against the independent claims of the present invention. Figures 5 and 6 do not teach all the elements of the independent claims, either explicitly or inherently. Specifically, Figures 5 and 6 do not teach that each of clock lines or each of base portions of the clock lines is made of a two-layer structure, a lower layer of the two-layer structure comprising the same wiring material as gate electrodes of thin film transistors and, an upper layer of the two-layer structure comprising the same wiring material as source and drain electrodes of the thin film transistors, either explicitly or inherently. As taught in the paragraph bridging pages 5 and 6 of the present specification, regarding Figures 5 and 6, "those wiring lines are formed at the same time as source and drain electrodes of a thin film transistor." Therefore, Figures 5 and 6 do not and cannot teach that the clock (as base portion of the clock line) is made of a two-layer structure, a lower layer of the two-layer structure comprising the same wiring material as gate electrodes of the thin film transistors.

Since Figures 5 and 6 does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Paragraph 10 of the Official Action rejects claims 10-12, 14 and 15 as obvious based on the combination of Figures 5 and 6 and U.S. Patent No. 5,815,223 to Watanabe et al. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available

to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).


Independent claim 10 has been amended to recite that each of clock lines or each of base portions of the clock lines is made of a two-layer structure, a lower layer of the two-layer structure comprising the same wiring material as gate electrodes of thin film transistors and, an upper layer of the two-layer structure comprising the same wiring material as source and drain electrodes of the thin film transistors. Watanabe does not cure the deficiencies in Figures 5 and 6. The Official Action relies on Watanabe to allegedly teach a source/drain region of high concentration 103 as a shielding line (page 9, Paper No. 5). However, Figures 5 and 6 and Watanabe, either alone or in combination, do not teach or suggest that each of clock lines or each of base portions of the clock lines is made of a two-layer structure, a lower layer of the two-layer structure comprising the same wiring material as gate electrodes of thin film transistors and, an upper layer of the two-layer structure comprising the same wiring material as source and drain electrodes of the thin film transistors.

Since Figures 5 and 6 and Watanabe do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly,

reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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